IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

-

**WRIT PETITION NO : 21961 of 2004**

Between:

Smt. Maleen Bagum, W/o. Late Md. Ghouse Ahmed,
Islampura, Nalgonda, Nalgonda District.

**... PETITIONER**

AND

The Regional Manager, APSRTC, Nalgonda, Nalgonda District.

**...RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or directions, more in the nature of Writ of Mandamus, directing the respondent herein to pay the terminal benefits of the petitioner's husband on refixed pay by counting his service from the date of initial appointment to till death including out of employment period as on duty and pay arrears forthwith.

**Counsel for the Petitioner: MR.P.GOVINDA RAJULU**

**Counsel for the Respondent: MR.V.T.M.PRASAD**

**The Court made the following:**

**ORDER:**

The husband of the petitioner was employed as driver in the A.P.S.R.T.C., in the year 1984. He was removed from service, in the year 1991. Challenging the removal, he raised an industrial dispute in I.D.No.537 of 1993. The Labour Court passed an award, directing reinstatement of the husband of the petitioner and payment of 50% of the back-wages, together with continuity of service. After being reinstated, he died on 27-07-1997. The petitioner claims that the benefits payable to her husband, particularly those under the award in I.D.No.537 of 1993, were not extended to her. She claims to have made a representation dated 30-06-2004 in this regard, and alleges that no action has been taken so far.

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondent.

The husband of the petitioner, and after his death, the petitioner herein were extended the benefits of various categories, consequent on the award in I.D.No.537 of 1993. It is represented that the controversy as to the effect of revision of pay scales on the back-wages has been recently resolved, and the amount payable thereunder has not yet been extended.

It is difficult for this Court to arrive at any definite conclusion as to the nature of benefits to be extended to the petitioner, or to quantify the amounts to be paid to her.

The respondent has to undertake the necessary exercise and dispose of the claim of the petitioner.

Hence, the writ petition is disposed of, directing the respondent to consider the representation dated 30-06-2004, said to have been submitted by the petitioner, and pass appropriate orders thereon, within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

**Sd/-**

**ASSISTANT REGISTRAR**

**Dt.01-12-2004**

*KO*

To

1. The Regional Manager, APSRTC, Nalgonda, Nalgonda District.
2. 2 C.D copies.